

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF CALIFORNIA

ADAM JAY STONE,

Plaintiff,

v.

C. PFEIFFER, et al.,

Defendants.

No. 1:21-cv-01461-ADA-SAB (PC)

ORDER DENYING PLAINTIFF'S MOTION  
FOR DEPOSITION TRANSCRIPTS

(ECF No. 126)

Plaintiff Adam Jay Stone is proceeding pro se in this civil rights action filed pursuant to 42 U.S.C. § 1983.

Currently before the Court is Plaintiff's motion for a copy of his deposition transcript, filed November 13, 2023. Plaintiff requests "instructions on how to pay for his deposition transcripts." (ECF No. 126.)

Plaintiff is advised that the Court has no authority to require Defendants to cover the cost of the deposition transcript even if Plaintiff is proceeding pro se and in forma pauperis. Sharpe v. Cryer, No. 119CV00711ADAEPGPC, 2023 WL 3726145, at \*1 (E.D. Cal. May 30, 2023) (citing see Clemente v. Parciasepe, No. 2:14-CV-0611 KJN P, 2015 WL 6447495, at \*2 (E.D. Cal. Oct. 23, 2015) ("Defense counsel is correct that defendant is not required to provide plaintiff with a free copy of a deposition transcript.")).

///

Moreover, to the extent that Plaintiff would seek the use of Court funds to pay for a deposition transcript, “[t]here also is no statutory requirement for the Court ... to provide a litigant proceeding in forma pauperis with copies of deposition transcripts.” Id. (quoting Davis v. Molina, No. 1:14-CV-1554-BAM (PC), 2017 WL 11707632, at \*1 (E.D. Cal. Sept. 27, 2017) (also denying a plaintiff’s request for a defendant to provide him with a copy of a deposition transcript)).

Pursuant to Federal Rule of Civil Procedure 30, a party may obtain a copy of a deposition transcript upon reasonable payment of fees, and Plaintiff’s in forma pauperis status does not entitle him to a free copy. Tufono v. Ward, No. CV 19-7397-JFW (KS), 2021 WL 9684444, at \*1 (C.D. Cal. Dec. 22, 2021) (citing Fed. R. Civ. P. 30(f)(3); see also Vanderbusch v. Chokatos, No. 1:13-cv-01422-LJO-EPG (PC), 2018 WL 3031488, at \*2 (E.D. Cal. June 15, 2018)) (denying plaintiff’s request for court to order defendants to provide a copy of deposition transcript) (citing Boston v. Garcia, No. 2:10-cv-1782 KJM DAD P, 2013 WL 1165062, at \*2 (E.D. Cal. Mar. 20, 2013) (same)).

A plaintiff must obtain deposition transcripts from the officer before whom the deposition was taken—a court reporter or deposition officer. Id. (citing see Claiborne v. Battery, No. CIV S-06-2919 FCD EFB P, 2009 WL 530352, at \*3 (E.D. Cal. Mar. 3, 2009) (denying plaintiff’s request for a court order directing the defendant to provide him with a copy of his deposition transcript)). Accordingly, in order for Plaintiff to receive a copy of his deposition transcript, he must reach out to the court reporter or deposition officer and pay the appropriate fees. Thus, Plaintiff’s motion for a copy of his deposition transcript is DENIED.

IT IS SO ORDERED.

Dated: November 14, 2023

  
UNITED STATES MAGISTRATE JUDGE